

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,

Case No. 2:21-cr-00168-JAD-EJY

Plaintiff,

**ORDER**

v.

DOMINIQUE OWENS,

Defendant.

Defendant Dominique Owens submitted a document to the Court without a caption or points or authorities. ECF No. 247. Defendant is reminded that **all** documents filed with the Court must have a caption with the case name and number as depicted above. Despite Defendant's failure to comply with these requirements, the docket reflects that Defendant is currently represented by counsel. Given the status of this case, counsel must advise the Court if she continues to represent Defendant or if the representation concluded with Defendant's entry of a plea. If counsel remains on this case, only Defendant's attorney may appear or act on her behalf. LR IA 11-6.

If counsel is no longer representing Defendant, 28 U.S.C. § 753(f) provides transcripts to an appellant free of charge upon the Court's determination that the appeal presents a legitimate question and is not frivolous. However, Defendant has not filed a notice of appeal—thus, there is no appeal pending. *Morgan v. Doran*, Case No. CV 1:02-cv-6316 AWI DLB P, 2007 WL 1080580, at \*2 (E.D. Cal. April 4, 2007) (denying request for preparation of transcripts at government's expense where motion failed to explain why certain transcripts "are necessary to resolve the issues he desires to raise on appeal."). Defendant also does not have a habeas petition pending under 28 U.S.C. § 2255. Even so, a federal prisoner does not have an absolute right to transcripts of her criminal proceedings in order to prepare a § 2255 motion. *United States v. MacCollum*, 426 U.S. 317 (1976).

Accordingly, Defendant Dominique Owen's Motion seeking copies of the docket sheet in this matter as well as her sentencing transcript (ECF No. 247) is DENIED without prejudice.

1 IT IS FURTHER ORDERED that Rachel Stewart **must** advise the Court if she continues to  
2 represent Defendant or if her appointment has concluded.

3 Dated this 10th day of October, 2024.

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5 ELAYNA J. YOUCHAH  
6 UNITED STATES MAGISTRATE JUDGE  
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